

Base Analysis and Sustainment program of the Department of Defense, and the National Maritime Educational Council.

“(c) TERMINATION.—The authority to carry out a pilot program under this section shall terminate on September 30, 2025.

“(d) BRIEFINGS.—If the Secretary carries out a pilot program under this section, the Secretary shall provide briefings to the Committees on Armed Services of the Senate and the House of Representatives as follows:

“(1) Not later than 30 days before beginning to implement the pilot program, the Secretary shall provide a briefing on the plan, cost estimate, and schedule for the pilot program.

“(2) Not less frequently than annually during the period when the pilot program is carried out, the Secretary shall provide briefings on the progress of the Secretary in carrying out the pilot program.”

PROCEDURES FOR APPLICATIONS AND FOR
CONSIDERATION OF AGREEMENTS

Pub. L. 105–85, div. A, title X, §1027(b), Nov. 18, 1997, 111 Stat. 1880, provided that: “Not later than 30 days after the date of the enactment of this Act [Nov. 18, 1997], the Secretary of the Navy shall establish application procedures and procedures for expeditious consideration of shipbuilding capability preservation agreements as authorized by section 7315 [now 8685] of title 10, United States Code, as added by subsection (a).”

§ 8686. Support for transfers of decommissioned vessels and shipboard equipment

(a) AUTHORITY TO PROVIDE ASSISTANCE.—The Secretary of the Navy may provide an entity described in subsection (b) with assistance in support of a transfer of a vessel or shipboard equipment described in such subsection that is being executed under section 2572, 8676, 8677, or 8765 of this title, or under any other authority.

(b) COVERED VESSELS AND EQUIPMENT.—The authority under this section applies—

(1) in the case of a decommissioned vessel that—

(A) is owned and maintained by the Navy, is located at a Navy facility, and is not in active use; and

(B) is being transferred to an entity designated by the Secretary of the Navy or by law to receive transfer of the vessel; and

(2) in the case of any shipboard equipment that—

(A) is on a vessel described in paragraph (1)(A); and

(B) is being transferred to an entity designated by the Secretary of the Navy or by law to receive transfer of the equipment.

(c) REIMBURSEMENT.—The Secretary may require a recipient of assistance under subsection (a) to reimburse the Navy for amounts expended by the Navy in providing the assistance.

(d) DEPOSIT OF FUNDS RECEIVED.—Funds received in a fiscal year under subsection (c) shall be credited to the appropriation available for such fiscal year for operation and maintenance for the office of the Navy managing inactive ships, shall be merged with other sums in the appropriation that are available for such office, and shall be available for the same purposes and period as the sums with which merged.

(Added Pub. L. 108–136, div. A, title X, §1015(a), Nov. 24, 2003, 117 Stat. 1591, §7316; renumbered §8686 and amended Pub. L. 115–232, div. A, title

VIII, §§807(d)(2), 809(a), Aug. 13, 2018, 132 Stat. 1836, 1840.)

PRIOR PROVISIONS

A prior section 8686, acts Aug. 10, 1956, ch. 1041, 70A Stat. 536; Sept. 24, 1980, Pub. L. 96–357, §5(a), 94 Stat. 1182; Oct. 19, 1984, Pub. L. 98–525, title IV, §414(a)(7)(B), 98 Stat. 2519, related to credit to members of Air National Guard of United States for service as members of Air National Guard, prior to repeal by Pub. L. 103–337, div. A, title XVI, §1662(g)(2), Oct. 5, 1994, 108 Stat. 2996. See section 12602 of this title.

AMENDMENTS

2018—Pub. L. 115–232, §807(d)(2), renumbered section 7316 of this title as this section.

Subsec. (a). Pub. L. 115–232, §809(a), substituted “section 2572, 8676, 8677, or 8765” for “section 2572, 7306, 7307, or 7545”.

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115–232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115–232, set out as a note preceding section 3001 of this title.

§ 8687. Status of Government rights in the designs of vessels, boats, and craft, and components thereof

(a) IN GENERAL.—Government rights in the design of a vessel, boat, or craft, and its components, including the hull, decks, superstructure, and all shipboard equipment and systems, shall be determined solely as follows:

(1) In the case of a vessel, boat, craft, or component procured through a contract, in accordance with the provisions of section 2320 of this title.

(2) In the case of a vessel, boat, craft, or component procured through an instrument not governed by section 2320 of this title, by the terms of the instrument (other than a contract) under which the design for such vessel, boat, craft, or component, as applicable, was developed for the Government.

(b) CONSTRUCTION OF SUPERSEDING AUTHORITIES.—This section may be modified or superseded by a provision of statute only if such provision expressly refers to this section in modifying or superseding this section.

(Added Pub. L. 110–417, [div. A], title VIII, §825(a), Oct. 14, 2008, 122 Stat. 4534, §7317; renumbered §8687, Pub. L. 115–232, div. A, title VIII, §807(d)(2), Aug. 13, 2018, 132 Stat. 1836; amended Pub. L. 116–283, div. A, title XVIII, §1833(p), Jan. 1, 2021, 134 Stat. 4234.)

AMENDMENT OF SUBSECTION (a)

Pub. L. 116–283, div. A, title XVIII, §§1801(d), 1833(p), Jan. 1, 2021, 134 Stat. 4151, 4234, provided that, effective Jan. 1, 2022, with additional provisions for delayed implementation and applicability of existing law, subsection (a) of this section is amended by striking “section 2320” each place it appears and inserting “subchapter I of chapter 275”. See 2021 Amendment note below.

PRIOR PROVISIONS

A prior section 8687, acts Aug. 10, 1956, ch. 1041, 70A Stat. 536; Sept. 2, 1958, Pub. L. 85–861, §1(188), 72 Stat.

1534; Sept. 7, 1962, Pub. L. 87-649, §6(d), 76 Stat. 494, related to compensation for members of Air Force other than Regular Air Force prior to repeal by Pub. L. 99-661, div. A, title VI, §604(f)(1)(A), Nov. 14, 1986, 100 Stat. 3877.

AMENDMENTS

2021—Subsec. (a). Pub. L. 116-283 substituted “subchapter I of chapter 275” for “section 2320” in pars. (1) and (2).

2018—Pub. L. 115-232 renumbered section 7317 of this title as this section.

EFFECTIVE DATE OF 2021 AMENDMENT

Amendment by Pub. L. 116-283 effective Jan. 1, 2022, with additional provisions for delayed implementation and applicability of existing law, see section 1801(d) of Pub. L. 116-283, set out as a note preceding section 3001 of this title.

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of this title.

§ 8688. Warranty requirements for shipbuilding contracts

(a) **REQUIREMENT.**—A contracting officer for a contract for new construction for which funds are expended from the Shipbuilding and Conversion, Navy account shall require, as a condition of the contract, that the work performed under the contract is covered by a warranty for a period of at least one year.

(b) **WAIVER.**—If the contracting officer for a contract covered by the requirement under subsection (a) determines that a limited liability of warranted work is in the best interest of the Government, the contracting officer may agree to limit the liability of the work performed under the contract to a level that the contracting officer determines is sufficient to protect the interests of the Government and in keeping with historical levels of warranted work on similar vessels.

(Added Pub. L. 114-328, div. A, title X, §1022(a)(1), Dec. 23, 2016, 130 Stat. 2388, §7318; renumbered §8688, Pub. L. 115-232, div. A, title VIII, §807(d)(2), Aug. 13, 2018, 132 Stat. 1836.)

PRIOR PROVISIONS

A prior section 8688, act Aug. 10, 1956, ch. 1041, 70A Stat. 536, related to death gratuity payable to survivors of members of Air Force, prior to repeal by Pub. L. 85-861, §36B(29), Sept. 2, 1958, 72 Stat. 1571. See sections 1475 to 1480 of this title.

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 7318 of this title as this section.

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of this title.

EFFECTIVE DATE

Pub. L. 114-328, div. A, title X, §1022(b), Dec. 23, 2016, 130 Stat. 2388, provided that: “Section 7318 of title 10, United States Code, as added by subsection (a), shall take effect on the later of the following dates:

“(1) The date of the enactment of the National Defense Authorization for Fiscal Year 2018 [Pub. L. 115-91, approved Dec. 12, 2017].

“(2) September 30, 2017.”

§ 8688a. Construction and conversion of naval vessels: liens

The Secretary of the Navy shall provide, in each contract for construction or conversion of a naval vessel, that, when partial, progress, or other payments are made under such contract, the United States is secured by a lien upon work in progress and on property acquired for performance of the contract on account of all payments so made. The lien is paramount to all other liens.

(Added and amended Pub. L. 116-283, div. A, title XVIII, §1876(b), Jan. 1, 2021, 134 Stat. 4291.)

CODIFICATION

The text of subsec. (g)(3) of section 2307 of this title, which was transferred to this section by Pub. L. 116-283, §1876(b)(2), was based on Pub. L. 103-355, title II, §2001(g), Oct. 13, 1994, 108 Stat. 3302.

AMENDMENTS

2021—Pub. L. 116-283, §1876(b)(2), transferred text of subsec. (g)(3) of section 2307 of this title to this section.

EFFECTIVE DATE

Section and amendment by Pub. L. 116-283 effective Jan. 1, 2022, with additional provisions for delayed implementation and applicability of existing law, see section 1801(d) of Pub. L. 116-283, set out as an Effective Date of 2021 Amendment note preceding section 3001 of this title.

§ 8689. Requirements for availability of funds relating to advanced naval nuclear fuel systems based on low-enriched uranium

(a) **AUTHORIZATION.**—Low-enriched uranium activities may only be carried out using funds authorized to be appropriated or otherwise made available for the Department of Energy for atomic energy defense activities for defense nuclear nonproliferation.

(b) **PROHIBITION REGARDING CERTAIN ACCOUNTS.**—(1) None of the funds described in paragraph (2) may be obligated or expended to carry out low-enriched uranium activities.

(2) The funds described in this paragraph are funds authorized to be appropriated or otherwise made available for any fiscal year for any of the following accounts:

(A) Shipbuilding and conversion, Navy, or any other account of the Department of Defense.

(B) Any account within the atomic energy defense activities of the Department of Energy other than defense nuclear nonproliferation, as specified in subsection (a).

(3) The prohibition in paragraph (1) may not be superseded except by a provision of law that specifically supersedes, repeals, or modifies this section. A provision of law, including a table incorporated into an Act, that appropriates funds described in paragraph (2) for low-enriched uranium activities may not be treated as specifically superseding this section unless such provision specifically cites to this section.

(c) **LOW-ENRICHED URANIUM ACTIVITIES DEFINED.**—In this section, the term “low-enriched uranium activities” means the following: